

REMARKS

Claims 1-18 were pending in the present application. By virtue of this response, claim 1 has been amended, and no claims have been added or cancelled. Accordingly, claims 1-18 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

Rejections under 35 U.S.C. §103(a)

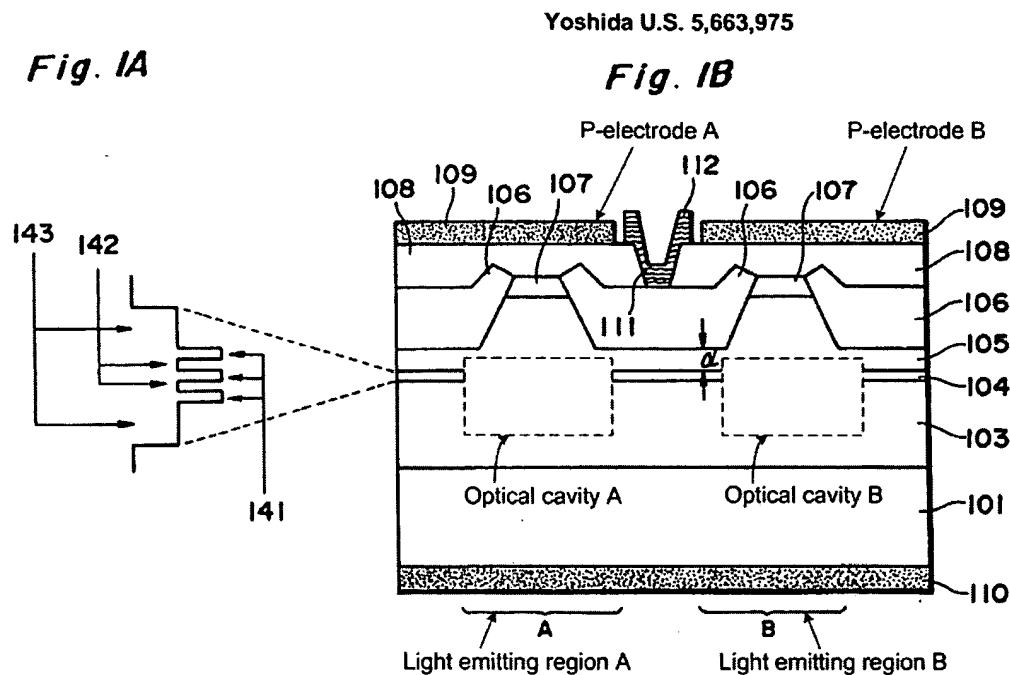
The Office has rejected claims 1-18 under 35 U.S.C. §103(a) as allegedly being unpatentable over Saito et al. (6,121,634) and further in view of Yoshida et al. (5,663,975). Applicants respectfully traverse these rejections.

Applicants submit that the combination of Saito and Yoshida fails to teach or suggest each and every element recited in the independent claim 1. In particular, the combination of Saito and Yoshida fail to teach or suggest the elements of “an optical cavity” and “wherein all regions of said p-electrode or n-electrode share the optical cavity.”

In the Office Action, the Examiner indicated that Yoshida describes in Figure 1B, 3C and at column 7 lines 50-65, and column 8 lines 55-65 the feature of “wherein said p-electrode and/or said n-electrode regions share the optical cavity.” Upon reviewing these sections of Yoshida, Applicants do not find the claimed feature in Yoshida.

The Figure 1B of Yoshida is shown below, where Applicants added illustration of p-electrode A, optical cavity A, light-emitting region A, p-electrode B, optical cavity B, and light-emitting region B to help the Examiner to better understand the Yoshida reference. Applicants respectfully submit that person skilled in the art would recognize that two beams are emitted in the direction at right angles to the drawing sheet plane in Figure 1B. It is apparent that light emitting region A includes the p-electrode A and optical cavity A; and light emitting region B includes the p-electrode B and optical cavity B as shown in Figure 1B. Since there are two light emitting regions

A and B, a person skilled in the art would appreciate that these two light emitting regions do not share the same optical cavity.



In fact, in the same section at column 7 lines 50-65, Yoshida stated that “[T]he silicon nitride file 112 is formed to bury the groove 111 to thereby isolate the light emitting regions A, B (emphasis added, see column 7 at lines 56-58). Furthermore, Yoshida describes that “[T]hinning the part of the second cladding layer 105 between the beams A, B can make electric crosstalks practically sufficiently small, which is a measure to separate the interference of the two optical cavities of the two light emitting regions A and B (emphasis added, see column 7 at lines 58-60). It is clear that two beams are emitted in Figure 1B, as apparent from the recitation of “... between the beams A, B ...”.

Therefore, a person skilled in the art would have recognized that the description in column 7, lines 56-60 implies that beam A is emitted from light emitting region A and beam B is emitted from light emitting region B. Since it is well-known in the art that one beam is emitted from a corresponding optical cavity, a person skilled in the art would have recognized, as shown in

the illustrated Figure 1B above, that light emitting region A and light emitting region B include optical cavity A and optical cavity B, respectively; beam A and beam B are emitted from optical cavity A and optical cavity B, respectively; and optical cavity A and optical cavity B are individual cavities independent of each other.

For at least the reasons stated above, the combination of the Saito and Yoshida references do not teach or suggest the limitation of the independent claim 1 of the present application, where “all the regions of said p-electrode or n-electrode share the [same] optical cavity.” It is respectfully submitted that the independent claim 1 and its corresponding dependent claims 2-18 are allowable over the cited prior art references.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 245402008000. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

By 

Thomas Chan

Registration No.: 51,543
MORRISON & FOERSTER LLP
755 Page Mill Road
Palo Alto, California 94304-1018
(650) 813-5616